IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

-

WRIT PETITION NO : 9000 of 1995

Between:

E. Subba Rao, S/o E. Suranna,
R/o D.no.18-6-16, Ambati Subbanna Thota,
Samalkota, E.G.Dist.

..... PETITIONER

AND

1 General Manager,
District Cooperative Central Bank Ltd., Kakinada,
East Godavari Dist.,
2 Cooperative Sub- Registrar/Enquiry Officer,
O/o Divisional Cooperative Office, Kakinada,
East Godavari District.
3 Ch.B.S.R. Krishna Murthy,
O/o Divisional Cooperative Central Bank, Kakinada,
East GodavariDistrict,
4 Kakinada Municipal Employees Cooperative Society Ltd., represented by Supervisor/Secretary, Kakinada, East Godavari Distric,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of writ of Mandamus, declaring the Porceeding Bkg/Est.V to VIII Cadres/90-91, E1, dated 25.1.95 of the 1st respondent herein (i.e) General Manager, District Cooperative Central Bank Ltd., Kakinada, East Godavari District, as illegal, arbitrary, unjust against the provisions of Chapter XIII of the Industrial Tribunal Award ID.No.13/67 dt:28.5.70 besides being violative of the cardinal principal of natural justice and hence liable to be set aside.

Counsel for the Petitioner: MR.D.V.BHADRAM

Counsel for the Respondents: MR.C.V.MOHAN REDDY

The Court made the following :

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

ORDER:

The writ petition is filed with the prayer as follows:

> "Issue a writ, order or direction more particularly in the nature of Writ of Mandamus, declaring the Proceedings Bkg/Est. V to VIII Cadres/90-91, E1, dated 25.01.1995 of the 1st Respondent herein (i.e.) General Manager, District Cooperative Central Bank Ltd., Kakinada, East Godavari District, as illegal, arbitrary, unjust against the provisions of Chapter XIII of the Industrial Tribunal Award I.D.No.13 of 1967, dated 28.05.70 besides being violative of the cardinal principles of natural justice and hence liable to be set aside."

In reply to a specific question as to the maintainability of the writ petition, the learned Counsel for the petitioner submitted that the writ petition against the 1st respondent is not maintainable and therefore, he is not pressing the writ petition. It is however prayed that the petitioner be given liberty to prosecute appropriate legal remedies as available to him.

In the circumstances, the Writ Petition is dismissed with a liberty as prayed for. No order as to costs.

_____

3rd March, 2005

bud

Copy to:

1. The General Manager, District Cooperative Central Bank Ltd., Kakinada, East Godavari District.
2. The Supervisor/Secretary, Kakinada Municipal Employees Cooperative Society Ltd., Kakinada, East Godavari District.

3. Two C.D. Copies.